

AN ACT

relating to the authority of the Texas Water Development Board to provide financial assistance for certain projects if the applicant has failed to complete a request for information relevant to the project.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 15.975, Water Code, is amended by adding Subsection (d) to read as follows:

(d) The board may not approve an application if the applicant has failed to satisfactorily complete a request by the executive administrator or a regional planning group for information relevant to the project, including a water infrastructure financing survey under Section 16.053(q).

SECTION 2. Section 15.912, Water Code, is amended to read as follows:

Sec. 15.912. CONSIDERATIONS IN ACTING ON APPLICATION.

(a) In acting on an application for financial assistance, the board shall consider:

(1) the needs of the area to be served by the project and the benefit of the project to the area in relation to the needs of other areas requiring state assistance in any manner and the benefits of those projects to the other areas;

(2) the availability of revenue to the political subdivision or water supply corporation from all sources for any

1 necessary repayment of the cost of the project, including all  
2 interest;

3 (3) the relationship of the project to overall  
4 statewide needs; and

5 (4) any other factors that the board considers  
6 relevant.

7 (b) The board may not accept an application for a loan or  
8 grant of financial assistance from the fund for a project  
9 recommended through the state and regional water planning processes  
10 under Sections 16.051 and 16.053 if the applicant has failed to  
11 satisfactorily complete a request by the executive administrator or  
12 a regional planning group for information relevant to the project,  
13 including a water infrastructure financing survey under Section  
14 16.053(q).

15 SECTION 3. Section 16.131, Water Code, is amended to read as  
16 follows:

17 Sec. 16.131. AUTHORIZED PROJECTS. (a) The board may use  
18 the state participation account of the development fund to  
19 encourage optimum regional development of projects including the  
20 design, acquisition, lease, construction, reconstruction,  
21 development, or enlargement in whole or part of:

22 (1) reservoirs and storm water retention basins for  
23 water supply, flood protection, and groundwater recharge;

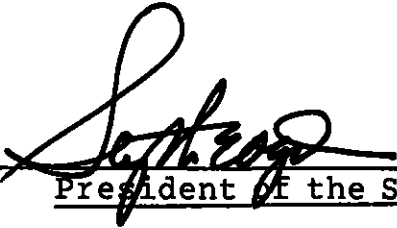
24 (2) facilities for the transmission and treatment of  
25 water; and

26 (3) treatment works as defined by Section 17.001 ~~[of~~  
27 ~~this code]~~.

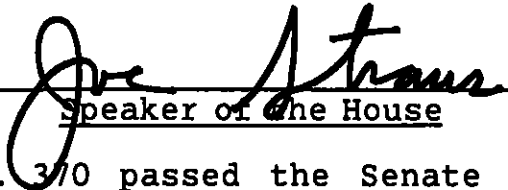
1        (b) The board may not use the state participation account of  
2 the development fund to finance a project recommended through the  
3 state and regional water planning processes under Sections 16.051  
4 and 16.053 if the applicant has failed to satisfactorily complete a  
5 request by the executive administrator or a regional planning group  
6 for information relevant to the project, including a water  
7 infrastructure financing survey under Section 16.053(q).

8        SECTION 4. This Act takes effect immediately if it receives  
9 a vote of two-thirds of all the members elected to each house, as  
10 provided by Section 39, Article III, Texas Constitution. If this  
11 Act does not receive the vote necessary for immediate effect, this  
12 Act takes effect September 1, 2011.

*Amell*  
S.B. No. 370



President of the Senate



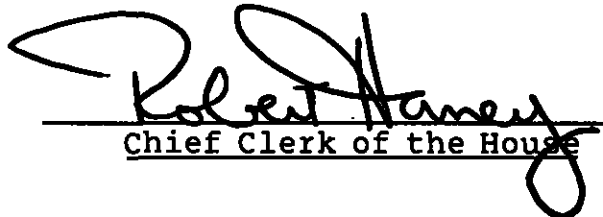
Speaker of the House

I hereby certify that S.B. No. 370 passed the Senate on  
March 17, 2011, by the following vote: Yeas 31, Nays 0.



Secretary of the Senate

I hereby certify that S.B. No. 370 passed the House on  
May 24, 2011, by the following vote: Yeas 146, Nays 0, two  
present not voting.



Chief Clerk of the House

Approved:

17 JUN '11

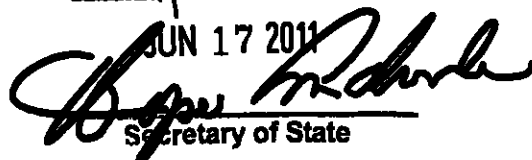
Date



Governor

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
 O'CLOCK

JUN 17 2011



Secretary of State